UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,010	07/18/2003	Daniel Plastina	MS#303012.1 (5055)	4615

321 7590 04/02/2007	**EXAMINER**	
SENNIGER POWERS	VUU, HENRY	
ONE METROPOLITAN SQUARE		
16TH FLOOR	ART UNIT	PAPER NUMBER
ST LOUIS, MO 63102	2179	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/02/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/02/2007.

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PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 January 2007*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-10, 12-14 and 16* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-10, 12-14 and 16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 January 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date *2/20/2007*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 3, 5, 8 – 10, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated

by Chasen et al. (Patent No. 6,760,721).

As to independent claim 1, Chasen et al. teaches:

A method for displaying metadata (see e.g., col. 1, lines 40 – 42; i.e., organizing metadata

located in a database for presentation on a display to a user) of a media file (see e.g., col. 3, lines

11 - 13; i.e., the media file corresponds to audio metadata) being stored in a memory (see e.g.,

col. 1, lines 52 – 53); the memory corresponds to a database of a computing device), said media

file (see e.g., col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata) having a

first metadata field (see e.g., Fig. 1; i.e., the first metadata field corresponds to "Master Library"

of the audio file) including a first property data (see e.g., Fig. 1; i.e., the first property data

corresponds to "Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" of the audio file),

and having a second metadata field (see e.g., Fig. 1; i.e., the second metadata field corresponds

to "Playlists" of the audio file) including a second property data (see e.g., Fig. 1; i.e., the second

property data corresponds to "New Playlist", "Favorites", and "Study Music" of the audio file),

each property data (see e.g., Fig. 1; i.e., the set of property data associated with the audio file

corresponds to "Master Library" and "Playlists") defining a property of the media file (see e.g.,

col. 5, lines 20 – 43; i.e., audio program display 110 includes a tree window 120 that is used to

display a groupings tree 124 and playlist tree 126 associated with the audio file), respectively,

comprising: identifying a first property category (see e.g., Fig. 1; i.e., the first property category

corresponds to "Artist") from the first metadata field (see e.g., Fig. 1; first metadata field

corresponds to "Master Library" of the audio file) of the media file (see e.g., col. 3, lines 11 – 13;

i.e., the media file corresponds to audio metadata); parsing (see e.g., col. 8, lines 39 – 41 and col.

12, lines 31 – 65; i.e., parsing the first property data corresponds to GUI 220 allowing a user to

expand a subtree of the master tree 122 in order to view subtree children in order to edit and the

metadata. In further view of parsing, parsing is also viewed as the systems traversal of tree

master tree 122, grouping tree 124, and playlist 126 to identify the CLEAN and DIRTY flag or

delimiter) the first property data (see e.g., Fig. 1; i.e., the first property data corresponds to

"Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" after a user has expanded "Master

Library") included in the first metadata field (see e.g., Fig. 1; i.e., the first metadata field

corresponds to "Master Library" of the audio file); identifying (see e.g., Fig. 6 and col. 16, lines

1 – 22; i.e., identifying corresponds to the system traversing all the nodes in the tree, therefore

identifying a node that has a CLEAN or DIRTY status flag) a property delimiter (see e.g., col.

16, lines 1 – 22; i.e., the property delimiter corresponds to a CLEAN or DIRTY flag that has

been applied to any metadata or data changes, wherein the system marks a node with a CLEAN

or DIRTY status) included in the first property data (see e.g., Fig. 1 and col. 15, lines 8 – 29; i.e.,

the first property data corresponds to "Artist", "Album", "Genre", "Genre/Artist", and "All

Tracks" of the audio file, wherein metadata or data changes are applied to nodes within "Artist",

"Album", "Genre", "Genre/Artist", and "All Tracks" nodes) in the first metadata field (see e.g.,

"Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" nodes are children nodes of the

first metadata, wherein the first metadata corresponds to "Master Library"); identifying (see e.g.,

col. 15, lines 8 – 29 and col. 16, lines 1 – 22; i.e., the system traverses all the nodes within the

tree, in this case "Artist", "Album", "Genre", "Genre/Artist", "All Tracks", "Debussy",

"Mozart", "Rachmaninoff" or audio track nodes, to identify CLEAN and DIRTY flags of any

metadata or data changes the user has applied) a first property (see e.g., col. 9, lines 54 – 67 and

col. 9, lines 1 – 6; i.e., the first property corresponds to Debussy, Mozart, Rachmaninoff or audio

tracks classified in a node, wherein Debussy, Mozart, Rachmaninoff or an audio track can be a

first property that maintains a CLEAN status or delimiter) and a second property (see e.g., col. 9,

lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart,

Rachmaninoff or an audio track, wherein Debussy, Mozart, Rachmaninoff or an audio track can

be a second property that has been set to a DIRTY status or delimiter) based on the identified

property delimiter (see e.g., col. 15, lines 8 – 29 and col. 16, lines 1 – 22; i.e., the user is able to

change the metadata or data of nodes residing in associated parent nodes, such as reclassifying an

audio track titled "Always", which corresponds to a second property, wherein the reclassification

of audio track "Always" will be set to a DIRTY status or delimiter, and will further be identified

when the system traverses the tree) from the parsed first property data (see e.g., col. 15, lines 19

– 29 and col. 16, lines 23 – 28; i.e., first property data corresponds to "Artist", "Album",

"Genre", "Genre/Artist", and "All Tracks" or the audio file, wherein the user must parse the

"Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" nodes to change the metadata or

data of an audio track, such as the previously discussed audio track "Always"), wherein the

property delimiter (see e.g., col. 16, lines 1 – 22; i.e., the property delimiter corresponds to a

CLEAN or DIRTY flag that has been applied to any metadata or data changes, wherein the

system marks the node with a CLEAN or DIRTY status or delimiter, such as the second property

audio track titled "Always") separates (see e.g., col. 15, lines 8 – 29; i.e., separating corresponds

to audio track titled "Always" originally classified under "Genre/Artist" node is set to a DIRTY

status or delimiter, and subsequent audio tracks in "Genre/Artist" node are set to a CLEAN

status, wherein the system will traverse the tree and further update the tree by reclassifying the

audio track "Always" to the "Genre" node "Pop") the identified first property (see e.g., col. 15,

lines 8 – 29; i.e., the first property corresponds to Debussy, Mozart, Rachmaninoff or audio

tracks classified in a node, in this case, an audio track having a status of CLEAN that is listed

before the audio track titled "Always") from the identified second property (see e.g., col. 9, lines

54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart,

Rachmaninoff or an audio track, wherein Debussy, Mozart, Rachmaninoff or an audio track can

be a second property that has been set to a DIRTY status or delimiter); and displaying (audio

player program display 110 – see e.g., audio player program display 110 is used to display

master tree 122, grouping tree 124, playlist tree 126, and subtree children) the identified first

property category (see e.g., Fig. 1; i.e., the first property category corresponds to "Artist"), the

identified first property (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the first

property corresponds to Debussy, Mozart, and Rachmaninoff, wherein Debussy, Mozart, and

Rachmaninoff can be a first property), and the identified second property (see e.g., col. 9, lines

54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart, and

Rachmaninoff, wherein Debussy, Mozart, and Rachmaninoff can be a second property) in

hierarchically organized levels (see e.g., Fig. 1 and col. 1, lines 39 – 50; i.e., arranging the

metadata query results in a hierarchical representation of the metadata) via a graphical user

interface (audio player program display 110 – see e.g., Fig. 1), wherein the identified property

category (see e.g., Fig. 1; i.e., the identified property category corresponds to the first property

category "Artist") is displayed as a first level (see e.g., Fig. 1; i.e., "Artist", "Album", "Genre",

"Genre/Artist", and "All Tracks" corresponds to the first level) of the hierarchically organized

levels (tree window 120 – see e.g., Fig. 1), and wherein the identified first property (see e.g., col.

9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the first property corresponds to Debussy, Mozart,

and Rachmaninoff, wherein Debussy, Mozart, and Rachmaninoff can be a first property) and the

identified second property (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second

property corresponds to Debussy, Mozart, and Rachmaninoff, wherein Debussy, Mozart, and

Rachmaninoff can be a second property) are displayed as a second level (see e.g., col. 8, lines 39

– 41; i.e., "Artist" subtree can be expanded to display subtree children, such as Debussy, Mozart,

and Rachmaninoff) of the hierarchically organized levels (tree window 120 – see e.g., Fig. 1).

As to dependent claim 2, Chasen et al. teaches:

The method of claim 1, wherein the identified first property category (see e.g., Fig. 1; i.e., the

first property category corresponds to "Artist") identifies a genre category, album category, or an

artist category (see e.g., Fig. 1; i.e., tree window 120 shows "Artist" category, "Album"

category, and "Genre" category).

As to dependent claim 3, Chasen et al. teaches:

The method of claim 1, wherein the identified first property (see e.g., col. 9, lines 54 – 67 and

col. 9, lines 1 – 6; i.e., the first property corresponds to Debussy, Mozart, and Rachmaninoff,

wherein Debussy, Mozart, and Rachmaninoff can be a first property) and the identified second

property (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second property

corresponds to Debussy, Mozart, and Rachmaninoff, wherein Debussy, Mozart, and

Rachmaninoff can be a second property) each identify a genre property, an album property, or an

artist property (table window 130 – see e.g., Fig. 1; i.e., table window 130 includes a node table

132 displays information about the node that is selected in tree window 120, wherein table

window 130 identifies "Artist" property, "Album" property, and "Genre" property of

corresponding nodes).

As to dependent claim 5, Chasen et al. teaches:

The method of claim 1 further including modifying property data (see e.g., col. 3, lines 52 – 58;

i.e., the user is able to modify metadata in master tree 122) included in the metadata field (see

e.g., Fig. 1; i.e., the first metadata field corresponds to "Master Library" of the audio file) of the

media file (see e.g., col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata) to

modify the identified property category (see e.g., col. 4, lines 65 – 67 and col. 5, lines 1 – 6; i.e.,

the property category "Genre" corresponds to the identified property category), the first

identified property, or the second identified property (see e.g., col. 4, lines 65 – 67 and col. 5,

lines 1 – 6; i.e., the user is able to modify or rename the genre grouping from "POP" to "Rock"

or other subsequent genre groupings) being displayed in the hierarchically organized levels (see

e.g., Fig. 1).

As to independent claim 8, claim 8 differs from claim 1 only in that claim 8 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 1. Thus, claim 8 is analyzed as previously discussed with respect to claim 1 above.

As to dependent claim 9, claim 9 differs from claim 2 only in that claim 9 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 2. Thus, claim 9 is analyzed as previously discussed with respect to claim 2 above.

As to dependent claim 10, claim 10 differs from claim 3 only in that claim 10 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 3. Thus, claim 10 is analyzed as previously discussed with respect to claim 3 above.

As to independent claim 14, Chasen et al teaches:

In a computer system (user computer – see e.g., col. 6, lines 49 – 62) having a graphical user interface (graphical user interface – see e.g., col. 3, lines 43 – 58) including a display (see e.g., col. 8, lines 6 – 13) and a user interface selection device (see e.g., col. 8, lines 6 – 13), a method of displaying metadata (see e.g., col. 1, lines 40 – 42; i.e., organizing metadata located in a database for presentation on a display to a user) of a selected media file (see e.g., col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata) being stored in a memory (see e.g., col.

1, lines 52 – 53) on the display, wherein the media file is selected by a user (see e.g., col. 5, lines

44 – 51) via the interface selection device (see e.g., col. 8, lines 6 – 13) from one or more media

files being stored in a media library (media library – see e.g., Fig. 1), said media file (see e.g.,

col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata) having a first metadata

field (see e.g., Fig. 1; i.e., the first metadata field corresponds to "Master Library" of the audio

file) including a first property data (see e.g., Fig. 1; i.e., the first property data corresponds to

"Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" of the audio file), and having a

second metadata field (see e.g., Fig. 1; i.e., the second metadata field corresponds to "Playlists"

of the audio file) including a second property data (see e.g., Fig. 1; i.e., the second property data

corresponds to "New Playlist", "Favorites", and "Study Music" of the audio file), each property

data (see e.g., Fig. 1; i.e., the set of property data associated with the audio file corresponds to

"Master Library" and "Playlists") defining a property of the media file (see e.g., col. 5, lines 20 –

43; i.e., audio program display 110 includes a tree window 120 that is used to display a

groupings tree 124 and playlist tree 126 associated with the audio file), respectively, comprising

identifying a first property category (see e.g., Fig. 1; i.e., the first property category corresponds

to "Artist") from the first metadata field (see e.g., Fig. 1; first metadata field corresponds to

"Master Library" of the audio file) of the media file (see e.g., col. 3, lines 11 – 13; i.e., the media

file corresponds to audio metadata); parsing (see e.g., col. 8, lines 39 – 41 and col. 12, lines 31 –

65; i.e., parsing the first property data corresponds to GUI 220 allowing a user to expand a

subtree of the master tree 122 in order to view subtree children in order to edit and the metadata.

In further view of parsing, parsing is also viewed as the systems traversal of tree master tree 122,

grouping tree 124, and playlist 126 to identify the CLEAN and DIRTY flag or delimiter) the first

property data (see e.g., Fig. 1; i.e., the first property data corresponds to "Artist", "Album",

"Genre", "Genre/Artist", and "All Tracks" after a user has expanded "Master Library") included

in the first metadata field (see e.g., Fig. 1; i.e., the first metadata field corresponds to "Master

Library" of the audio file); identifying (see e.g., Fig. 6 and col. 16, lines 1 – 22; i.e., identifying

corresponds to the system traversing all the nodes in the tree, therefore identifying a node that

has a CLEAN or DIRTY status flag) a property delimiter (see e.g., col. 16, lines 1 – 22; i.e., the

property delimiter corresponds to a CLEAN or DIRTY flag that has been applied to any

metadata or data changes, wherein the system marks a node with a CLEAN or DIRTY status)

included in the first property data (see e.g., Fig. 1 and col. 15, lines 8 – 29; i.e., the first property

data corresponds to "Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" of the audio

file, wherein metadata or data changes are applied to nodes within "Artist", "Album", "Genre",

"Genre/Artist", and "All Tracks" nodes) in the first metadata field (see e.g., "Artist", "Album",

"Genre", "Genre/Artist", and "All Tracks" nodes are children nodes of the first metadata,

wherein the first metadata corresponds to "Master Library"); identifying (see e.g., col. 15, lines 8

– 29 and col. 16, lines 1 – 22; i.e., the system traverses all the nodes within the tree, in this case

"Artist", "Album", "Genre", "Genre/Artist", "All Tracks", "Debussy", "Mozart",

"Rachmaninoff" or audio track nodes, to identify CLEAN and DIRTY flags of any metadata or

data changes the user has applied) a first property (see e.g., col. 9, lines 54 – 67 and col. 9, lines

1 – 6; i.e., the first property corresponds to Debussy, Mozart, Rachmaninoff or audio tracks

classified in a node, wherein Debussy, Mozart, Rachmaninoff or an audio track can be a first

property that maintains a CLEAN status or delimiter) and a second property (see e.g., col. 9,

lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart,

Rachmaninoff or an audio track, wherein Debussy, Mozart, Rachmaninoff or an audio track can

be a second property that has been set to a DIRTY status or delimiter) based on the identified

property delimiter (see e.g., col. 15, lines 8 – 29 and col. 16, lines 1 – 22; i.e., the user is able to

change the metadata or data of nodes residing in associated parent nodes, such as reclassifying an

audio track titled "Always", which corresponds to a second property, wherein the reclassification

of audio track "Always" will be set to a DIRTY status or delimiter, and will further be identified

when the system traverses the tree) from the parsed first property data (see e.g., col. 15, lines 19

– 29 and col. 16, lines 23 – 28; i.e., first property data corresponds to "Artist", "Album",

"Genre", "Genre/Artist", and "All Tracks" or the audio file, wherein the user must parse the

"Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" nodes to change the metadata or

data of an audio track, such as the previously discussed audio track "Always"), wherein the

property delimiter (see e.g., col. 16, lines 1 – 22; i.e., the property delimiter corresponds to a

CLEAN or DIRTY flag that has been applied to any metadata or data changes, wherein the

system marks the node with a CLEAN or DIRTY status or delimiter, such as the second property

audio track titled "Always") separates (see e.g., col. 15, lines 8 – 29; i.e., separating corresponds

to audio track titled "Always" originally classified under "Genre/Artist" node is set to a DIRTY

status or delimiter, and subsequent audio tracks in "Genre/Artist" node are set to a CLEAN

status, wherein the system will traverse the tree and further update the tree by reclassifying the

audio track "Always" to the "Genre" node "Pop") the identified first property (see e.g., col. 15,

lines 8 – 29; i.e., the first property corresponds to Debussy, Mozart, Rachmaninoff or audio

tracks classified in a node, in this case, an audio track having a status of CLEAN that is listed

before the audio track titled "Always") from the identified second property (see e.g., col. 9, lines

54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart,

Rachmaninoff or an audio track, wherein Debussy, Mozart, Rachmaninoff or an audio track can

be a second property that has been set to a DIRTY status or delimiter); and displaying (audio

player program display 110 – see e.g., audio player program display 110 is used to display

master tree 122, grouping tree 124, playlist tree 126, and subtree children) the identified first

property category (see e.g., Fig. 1; i.e., the first property category corresponds to "Artist"), the

identified first property (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the first

property corresponds to Debussy, Mozart, and Rachmaninoff, wherein Debussy, Mozart, and

Rachmaninoff can be a first property), and the identified second property (see e.g., col. 9, lines

54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart, and

Rachmaninoff, wherein Debussy, Mozart, and Rachmaninoff can be a second property) in

hierarchically organized levels (see e.g., Fig. 1 and col. 1, lines 39 – 50; i.e., arranging the

metadata query results in a hierarchical representation of the metadata) via a graphical user

interface (audio player program display 110 – see e.g., Fig. 1), wherein the identified property

category (see e.g., Fig. 1; i.e., the identified property category corresponds to the first property

category "Artist") is displayed as a first level (see e.g., Fig.1; i.e., "Artist", "Album", "Genre",

"Genre/Artist", and "All Tracks" corresponds to the first level) of the hierarchically organized

levels (tree window 120 – see e.g., Fig.1), and wherein the identified first property (see e.g., col.

9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the first property corresponds to Debussy, Mozart,

and Rachmaninoff, wherein Debussy, Mozart, and Rachmaninoff can be a first property) and the

identified second property (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second

property corresponds to Debussy, Mozart, and Rachmaninoff, wherein Debussy, Mozart, and

Rachmaninoff can be a second property) are displayed as a second level (see e.g., col. 8, lines 39

– 41; i.e., "Artist" subtree can be expanded to display subtree children, such as Debussy, Mozart,

and Rachmaninoff) of the hierarchically organized levels (tree window 120 – see e.g., Fig.1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 6, 7, 12, 13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chasen et al. (Patent No. 6,760,721) in view of Dwek et al. (Patent No. 6,248,946).

As for dependent claim 6, this claim is analyzed with respect to claim 1 as previously

discussed above. Chasen et al. teaches identifying a second property category (see e.g., Fig.1;

i.e., the second property category corresponds to "New Playlist") from the second metadata field

(see e.g., Fig. 1; i.e., the second metadata field corresponds to "Playlists" of the audio file) of the

media file (see e.g., col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata),

wherein the second property category (see e.g., Fig.1; i.e., the second property category

corresponds to "New Playlist") is different (see e.g., Fig. 1; i.e., the first property category

corresponds to "Artist", and the second property category corresponds to "New Playlist",

wherein both categories are different due to different metadata files) from the identified first

property category (see e.g., Fig. 1; i.e., the first property category corresponds to "Artist").

Chasen et al. further teaches parsing (see e.g., Fig. 1 and col. 8, lines 39 – 41; i.e., parsing the

first property data corresponds to GUI 220 allowing a user to expand a subtree of the master tree

122 in order to view subtree children) the second property data (see e.g., Fig. 1; i.e., the second

property data corresponds to "New Playlist", "Favorites", and "Study Music", wherein the user is

able to expand the second property data to view subtree children, such as "New Playlist",

"Favorites", and "Study Music") included in the second metadata field (see e.g., Fig. 1; i.e.,

"New Playlist", "Favorites", and "Study Music" are associated with "Playlist", which

corresponds to the second metadata field) and displaying a third level of the hierarchically

organized levels (tree window 120 – see e.g., Fig. 1), but does not teach identifying a different

first property different than the first property and a different second property different than the

second property, and wherein displaying includes displaying the different first property or the

different second property in a third level of the hierarchically organized levels. Dwek et al.

teaches identifying a different first property different than the first property (see e.g., Fig. 3A and

col. 7, lines 32 – 43; i.e., the "CD" node corresponds to the first property listed under "Genre" of

the first metadata category, wherein the "CD" node listed under the metadata category is

different from the first) and a different second property different than the second property (see

e.g., Fig. 3A and col. 7, lines 32 – 43; i.e., the second property "Song" in the first "Genre" is

different from the second property "Song" on the second "Genre"), wherein displaying includes

displaying the different first property or the different second property in a third level of the

hierarchically organized levels (see e.g., Fig. 1). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate identifying a second

property category from the second metadata field of the media file, wherein the second property

category is different from the identified first property category, and parsing the fields of Chasen

et al. with identifying a different first property different than the first property and a different

second property different than the second property wherein displaying includes displaying the

different first property or the different second property in a third level of the hierarchically

organized levels of Dwek et al. because the hierarchical organization of Dwek et al. allows a list

of subgenres to further organize or limit the main genre node (see e.g., col. 7, lines 32 – 43).

As to dependent claim 7, this claim is analyzed with respect to claim 1 as previously

discussed above. Chasen et al. teaches a second property category (see e.g., Fig.1; i.e., the second

property category corresponds to "New Playlist") associated with a second metadata field (see

e.g., Fig. 1; i.e., the second metadata field corresponds to "Playlists" of the audio file) of a media

file (see e.g., col. 3, lines 11 – 13; i.e., the media file corresponds to audio metadata), but does

note teach the identified second property category identifying a genre category, album category,

or an artist category. Dwek et al teaches a second property category (see e.g., Fig. 3A; i.e., the

second property category corresponds to a second "Genre" node listed in database display

subpane 354) that identifies a genre category, album category, or an artist category (see e.g., Fig.

3A; genre category, artist category, and song category). Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to incorporate the second

property category associated with a second metadata field of a media file of Chasen et al. with

the second property category identifying a genre category, album category, or an artist category

of Dwek et al. because the hierarchical organization of Dwek et al. because the hierarchical

organization of Dwek et al. allows a list of subgenres to further organize or limit the main genre

node (see e.g., col. 7, lines 32 – 43).

As to dependent claim 12, claim 12 differs from claim 6 only in that claim 12 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 6. Thus, claim 12 is analyzed as previously discussed with respect to claim 6 above.

As to dependent claim 13, claim 13 differs from claim 7 only in that claim 13 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 7. Thus, claim 13 is analyzed as previously discussed with respect to claim 7 above.

As to dependent claim 16, claim 16 differs from claim 6 only in that claim 16 is an apparatus claim using a computer-readable medium (see e.g., col. 6, lines 22 – 48) containing executable instructions (software instructions – see e.g., col. 6, lines 31 – 48) that when executed causes a processor (col. 6, lines 63 – 67, and col. 7, lines 1 – 7) to perform the steps of claim 6. Thus, claim 16 is analyzed as previously discussed with respect to claim 6 above.

Response to Arguments

Applicant's arguments filed 1/19/2007 have been fully considered but they are not persuasive.

REMARKS:

In response to the arguments that Chasen et al. fails to disclose or suggest features of parsing the first property data and identifying a delimiter.

Examiner respectfully disagrees. Chasen et al. does teach parsing (see e.g., col. 8, lines

39 – 41 and col. 12, lines 31 – 65; i.e., expanding the master tree 122 and changing the metadata,

wherein the system traverses the trees to identify a CLEAN or DIRTY delimiter) a first property

data (see e.g., Fig. 1; i.e., the first property data corresponds to "Artist", "Album", "Genre",

"Genre/Artist", and "All Tracks" of the audio file, wherein the system traverses this subtree to

identify a CLEAN or DIRTY delimiter) and identifying a delimiter (see e.g., col. 16, lines 1 –

22; i.e., the property delimiter corresponds to a CLEAN or DIRTY delimiter that has been

applied to any metadata or data changes by the user, wherein the system marks a node with a

CLEAN or DIRTY status). Therefore, the system will allow the user to expand a master tree 122

and edit any metadata associated with a node, wherein the editing of a metadata of a specific

node will cause a CLEAN or DIRTY delimiter to be applied to the corresponding node for

identification during traversal/parsing. Furthermore, once a node is marked with a delimiter, such

as CLEAN or DIRTY, the system parses the trees (see e.g., col. 16, lines 1 – 22; i.e., in this case,

parsing is the traversal of the tree to identify a delimiter within the tree) in order to identify the

delimiter.

Applicant further argues that Chasen et al. does not disclose or suggest the features of

parsing a first property data in the first metadata and identifying a first and second property from

the parsed first property data.

Examiner respectfully disagrees. The elements disclosed by the applicant of a *first*

property data (see e.g., Fig. 1; i.e., the first property data corresponds to "Artist", "Album",

"Genre", "Genre/Artist", and "All Tracks" of the audio file), a *first metadata field* (see e.g., Fig.

1; i.e., the first metadata field corresponds to "Master Library" of the audio file), a *first property*

(see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the first property corresponds to Debussy, Mozart, Rachmaninoff or audio tracks classified in a node), and a *second property* (see e.g., col. 9, lines 54 – 67 and col. 9, lines 1 – 6; i.e., the second property corresponds to Debussy, Mozart, Rachmaninoff or an audio track) are clearly taught by Chasen et al. Furthermore, the system taught by Chasen et al. discloses the parsing of subtrees (see e.g., col. 16, lines 1 – 22; i.e., subtrees corresponding to "Artist", "Album", "Genre", "Genre/Artist", and "All Tracks" of the audio file), wherein the subtrees are in the master library tree 122. Therefore, Chasen et al. meets the limitation of *"parsing a first property data in the first metadata field"*. Chasen et al. also meets the limitation of *"identifying a first and second property from the parsed first property data"*, wherein the CLEAN and DIRTY delimiters are an indication of a first and second property within a hierarchal tree. The indication allows the system, during traversal/parsing of the hierarchal tree, to identify changes made to metadata by the user. Broadly speaking, parsing is defined as a system taking data and breaking up the data into components for the system to act upon, wherein the hierarchal tree is broken up into subtrees that include delimiters to further identify changes made to the metadata during the traversal of the tree.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Henry Vuu whose telephone number is (571) 270-1048. The

examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.
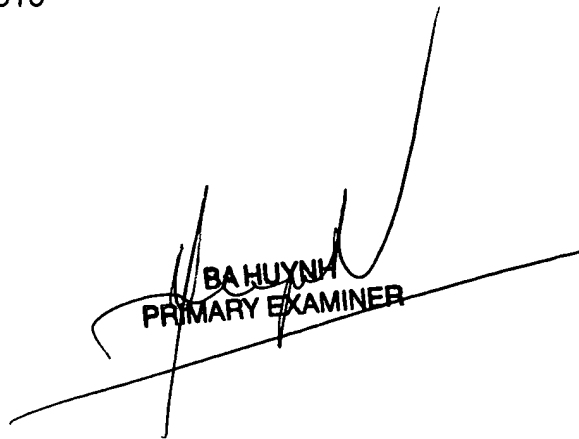
Information regarding the status of an application may be obtained from the Patent

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Henry Vuu

3/20/2007

BA HUYNH
PRIMARY EXAMINER